



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

PUBLIC WORKS ROADS DEPARTMENT :: ESTABLISHMENT-B BRANCH

NOTIFICATION

The 19th July, 2021

No. RBEB 290/2017/Pt.I/158.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules regulating the recruitment and the conditions of service of persons appointed to the **Assam Public Works Directorate Ministerial Establishment Service:-**

Short title and Commencement

1. (1) These rules shall be called the 'The Assam Public Works Directorate Ministerial Establishment Service Rules, 2021';
- (2) They shall come into force with effect from the date of publication of this notification in the Official Gazette;

Definition:

2. In these rules, unless there is anything repugnant in the subject or context:-
 - (a) "appointing authority" means the Chief Engineer, Public Works Roads Department, Assam;
 - (b) "ARR and TI" means the Assam Road Research and Training Institute under Public Works Roads Department;
 - (c) "Board" means the Selection Board constituted under rule-6;
 - (d) "Constitution" means the Constitution of India;
 - (e) "Directorate establishments" means establishments of the Chief Engineers of the Public Works Roads Department, viz. the Chief Engineer Public Works Roads Department, Chief Engineer Public Works (Border Roads and NEC Works) Department and the Chief Engineer, Public Works (Externally Aided Projects) Department and the Director, Assam Road Research and Training Institute and the establishments of the Additional Chief Engineer, Eastern Zone, Public Works Roads Department, Dibrugarh; Additional Chief Engineer, Tezpur Zone, Public Works Roads Department, Tezpur; Additional Chief Engineer, Public Works Department, Barak Valley, Silchar; Additional Chief Engineer, Public Works Roads Department, BTC, Kokrajhar; Additional Chief Engineer, Public Works Roads Department, Hills, Diphu and Additional Chief Engineer, Public Works Roads Department, Haflong;

- (f) "Government" means the Government of Assam;
- (g) "Governor" means the Governor of Assam;
- (h) "HoD" means Head of the Department;
- (i) "member" means a member of the Assam Public Works Directorate Ministerial Establishment Service;
- (j) "select list" means the list as referred to rule 7 and rule 13 (4) and (5);
- (k) "service" means Assam Public Works Directorate Ministerial Establishment Service;
- (l) "year" means a Calendar Year;
- Cadre**
3. (1) The Service shall consist of the following classes and cadres:
- Grade-I - (a) Administrative Officer
- Grade-II - (a) Registrar.
(b) Superintendent
- Grade-III - (a) Senior Assistant
(b) Junior Assistant
- (2) The Service may also include:-
- (a) Any post equivalent to a post in any of the Cadres mentioned in sub rule (1) and
- (b) Any Cadre or Post laid down by Government to be included in a cadre of the Service.
- (3) The status of the Administrative Officer shall be that of Class I Ministerial Service, Registrar and Superintendent shall be that of Class II and that of other staff shall be of class III ministerial Service.
- Strength**
4. The strength of each cadre in the Service shall be such as determined by the Governor from time to time. The strength of the cadres of the Service on the date of commencement of these rules shall be as shown in **Schedule-I** provided that the Governor may hold in abeyance any post as and when considered necessary.
- Method of Recruitment**
5. Recruitment to the cadres of Service shall be made in the following manner:-
- (1) **Administrative Officer:** The recruitment to the cadre shall be made by the **promotion** on the basis of **seniority-cum-merit** from amongst the Members of the Service who have rendered continuous service for not less than five (5) years in the cadre of 'Registrar' on the First January of the year in which selection is made, in accordance with **rule 13**.
- (2) **Registrar:** The recruitment to the cadre shall be made by promotion on the basis of seniority-cum-merit from amongst the Members of the Service who have rendered continuous service for not less than two (2) years in the cadre of Superintendent on the first January of the year in which selection is made, in accordance with **rule 13**.
- (3) **Superintendent:** The recruitment to the cadre shall be made **by promotion** on the basis of seniority-cum-merit from amongst of the Senior Assistant of the Service who have rendered continuous service for not less than seven (7) years in the cadre of 'Senior Assistant' on the First January of the year in which selection for promotion is made, in accordance with **rule 13**.
- (4) **Senior Assistant:** The recruitment to the cadre shall be made by promotion on the basis of seniority-cum-merit from amongst the Junior Assistants of the Service who have rendered continuous service for not less than four (4) years in the cadre of 'Junior Assistant' on the first January of the year in which selection for promotion is made, in accordance with rule 9 and Rule 10.

(5) Junior Assistant:

- (a) 90 per cent of the posts of Junior Assistants shall be filled up through direct recruitment, and
- (b) 10 per cent of vacancies shall be filled up by promotion from the Grade-IV employees of the Directorate establishments as per **rule-13**.
- (c) A member of the Grade-IV Service shall be eligible for promotion as Junior Assistant under these rules, subject to the following conditions:-
 - (i) he has completed the **Bachelor of Degree** or an equivalent examination from a University recognized by the Government and
 - (ii) he has rendered service as Grade-IV employee of the Government for a continuous period minimum of **seven (7) years** on the first January of the year of promotion.
 - (iii) he must be capable of **typing in computer** and shall have sufficient working knowledge of computer.

Note:

In case of promotion the inter-se-seniority list shall be prepared by the appointing authority for all the Directorate Establishments including the Directorates under the Sixth Schedule Areas and promotion shall be considered accordingly.

Board of Selection

- 6. (1) There shall be a Selection Board for Direct Recruitment of Junior Assistants and also to select candidates for promotion to the post of Administrative Officer, Registrar, Superintendent and Senior Assistants**

(2) The Selection Board shall consist of the following members; namely:-

- (i) Commissioner and Special Secretary to the Government of Assam, Public Works Roads Department, : Chairman
- (ii) Chief Engineer, Public Works Roads Department, : Member
- (iii) Chief Engineer, Public Works Roads Department, : Member
- (iv) Chief Engineer, Public Works Roads Department (Externally Aided Projects), : Member
- (v) Addl. Chief Engineer (Planning), Public Works Roads Department or any Officer as may be appointed by the Chairman, : Member
- (vi) Deputy Secretary (Establishment) to the Government of Assam, Public Works Roads Department. : Member Secretary

Direct Recruitment

- 7. Direct Recruitment shall be made on the basis of recommendation made by the Selection Board in accordance with the procedure herein after provided, namely:-**

- (1) Before the end of each year in the month of **November**, the Appointing Authority shall make an assessment regarding the likely number of vacancies to be filled up by direct recruitment during the next year together with the details about the reservation for candidates belonging to Scheduled Tribes, Schedule Caste, PwD, EWS or any other category as laid down by Government and intimate the same to the Selection Board and request the list of candidates for Direct Recruitment in order of preference.
- (2) The Board shall, compile the vacancies of the Junior Assistant for all the Directorate Establishments under Public Works Road Department and shall examine the proposal and take a decision for recruitment of the Junior Assistants.

- (3) The Board shall then invite applications through advertisements in the widely circulated local news papers (preferably in regional language of the State and in English language) and also upload the advertisement in the Departmental website and invite application from the intending candidates double the number of vacancies.
- (4) The applications received in response to the advertisement within the fixed time frame (online or manual), shall be scrutinised by the Board and then fix a date for holding a written test followed by computer skill test. The syllabus for written test and the computer skill test shall be as specified in Schedule-IV.
- (5) The candidates, who qualify in the written test, shall be shortlisted three (3) times the number vacancies for appearing computer skill test and verification of documents. On completion of the same, Board shall publish the 'select list' of the candidates found suitable for appointment to the post of Junior Assistant in order of merit, along with their place of posting at such places it may consider proper and also upload the list in the website of the Department.
- (6) The select list prepared for Direct Recruitment to the vacant sanctioned post of Junior Assistants shall contain names equal to the number of vacant posts notified at the time of calling for application for filling up of the post(s). The select list shall remain valid for one year with effect from the date of its publication.
- (7) The Board shall thereafter forward the select list of successful candidates, along with the place of posting, to the Appointing Authority, for appointment.
- (8) The Appointing Authority shall make all appointments to the sanctioned posts in the cadre of Junior Assistants during 1 (one) year from the approval of the select list.
- (9) In the event of the Board being unable to enlist sufficient number of candidates to fill up the vacancies in a year, it shall, repeat the procedure, for preparing a subsequent list in the year.

Qualification for Direct Recruitment of Junior Assistants:-

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| Academic Qualification | <p>8. A candidate for direct recruitment shall be an Indian Citizen as defined under the Constitution of India, and shall not be less than 18 years and more than 40 years of age on the first January of the year of recruitment; with relaxation in case of candidates belonging to special categories like SC, ST or any other category as laid down by Government in accordance with the general orders of the Government in force.</p> |
| Physical fitness | <p>9. The academic qualifications of a candidate for direct recruitment shall be as prescribed in Schedule-III. He/ She must have knowledge of typing in English as well as the local language and working knowledge of computers.</p> <p>10. A candidate for direct recruitment shall be:-</p> <ol style="list-style-type: none"> (a) of sound health, both mentally and physically and free from organic defect or bodily infirmity likely to interfere with the efficient performance of his / her duties, and (b) required to undergo medical examination before appointment to the Service. |

- Disqualification** **11.** No person shall be eligible for appointment to the service,-
- (a) unless he/she is a citizen of India, and
 - (b) if he has more than 1 (one) wife living or in case of a female candidate who has married a person who has a wife living:
- Provided that the Governor may, if he/she is satisfied that there is special ground for doing so, exempt any person from the operation of the above clause A.
- (c) if he/she has more than two living children.
- Character** **12.** (1) A candidate for direct recruitment shall produce to the appointing authority, a certificate of good character from,-
- (i) the Principal academic officer of the institution in which he studied last; and.
 - (ii) two responsible persons, who are well acquainted with (but not related to) the candidate.
- General Procedure for promotion** **13.** (1) Every year in the month of November, the Appointing Authority shall make an assessment of the likely number of vacancies to be filled up by promotion in the next year in each cadre of the Service.
- (2) The Appointing Authority shall furnish the following documents and information with regard to as many employees in order of seniority as four (4) times the number of vacancies as assessed under sub-rule (1), to the Board, within the month of November, every year:-
- (a) information about the number of vacancies, cadre wise,
 - (b) cadre wise list of employees in orders of seniority, eligible for promotion indicating the cadre to which the case of promotion is to be considered and the employees recommended for promotions.
 - (c) last three (3) years Annual Confidential Report (ACR) of the employees listed.
 - (d) details about the reservation and about carry forward of the vacancies as per **rule 14**, and
 - (e) any other documents and information as may be considered necessary by the Appointing Authority or required by the Selection Board.
- (3) The Selection shall be made on the basis of seniority-cum-merit in case of promotion to the cadre of Administrative Officer, Registrar, Superintendent, Senior Assistant and Junior Assistant.
- (4) Board, after examination of the documents and information furnished by the Appointing Authority shall prepare a Select List of employees equal to the number of vacancies (including for probable vacancies) in each cadre, in order of preference, found suitable for promotion and forward the select list to the Appointing Authority for issuing Orders of promotion along with the place of posting.
- (5) The inclusion of an employee's name in a select list shall confer no right to promotion unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for promotion.
- (6) The select list shall remain valid for twelve (12) months from the date of approval by the Committee, as the case may be.

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| Reservation | 14. | In case of direct recruitment to the Service, there shall be reservation in favour of candidates belonging to SC, ST, OBC and any other category, including the employees of Persons with Disabilities and Economically Weaker Section, as determined by the Government from time to time. In case of promotion, reservation (including Post Based Roaster is to be followed as per prevailing guideline of reservation), and carry forward of reservation shall be as per applicable Government policies and norms. |
| Appointment | 15. | Subject to provision of appointment under rule 7 , appointment orders of Direct recruitment shall be made by the Appointing Authority in accordance with the order of preference determined in the select list referred in rule 7 . |
| Joining time: | 16. | A person shall join, in this post within fifteen (15) days from the date of receipt of the appointment order or order of promotion, as the case may be, failing which the it shall be cancelled, unless the Appointing Authority extends the period, which shall not, in all, exceed three (3) months. <i>However, in extraordinary circumstances, the Government may extend the joining time period beyond three (3) months.</i> |
| Discharge or Reversion | 17. | <p>A temporary officiating member shall be liable to be discharge or reverted to the lower cadre of Service or to his original Service if :-</p> <p>(a) he /she fails to render satisfactory Service during his/ her tenure of Service in the cadre, and</p> <p>(b) it is found in a subsequent verification that he/she was initially not qualified for the appointment/promotion or he/she had furnished any incorrect information with regard to his/ her appointment.</p> |
| Seniority | 18. | <p>(1) The seniority of a member in a cadre, appointed by direct recruitment or by promotion shall be determined according to the order of merit, provided he/she joins the post to which he/she is appointed within 15 days from the date of receipt of the appointment order or within the extended period as mentioned in rule 16.</p> <p>(2) If a member fails to join the post to which he/she is appointed within the initial fifteen (15) days of receipt of the order or within the extended period as mentioned in rule 16, but joins later, his/her seniority shall be determined in accordance with the date of joining.</p> <p>(3) A member appointed by promotion against a vacancy occurring in a year shall be senior to a member appointed by direct recruitment of that year.</p> |
| Confirmation: | 19. | <p>(1) Subject to availability of a permanent vacancy, every member of the Service shall be confirmed in the cadre to which he/she is appointed if :-</p> <p>(a) he/ has completed at least three (3) years of Service to the satisfaction of the appointing authority,</p> <p>(b) he is otherwise considered fit for confirmation by the appointing authority.</p> <p>(2) Subject to the aforesaid conditions, confirmation shall be made on the basis of seniority as determined under rule 18.</p> |
| Gradation list | 20. | The Appointing Authority shall prepare and published every year a Gradation List consisting of the names of all members of the Service cadre-wise in order of seniority and such other particulars as date of birth, date of appointment, |

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| | | date of retirement, category etc. However, in case of any unresolved dispute or objections to the published Gradation List by the Appointing Authority, the decision of the Selection Board or the Government with respect to seniority of an employee shall be final and binding. |
| Pay | 21. | All appointment in the Service shall be made in time scale of Pay as may be prescribed by the Government from time to time. The scales of pay of the posts in the cadre of the Service, as on the date of commencement of these rules, shall be as shown in Schedule-II |
| Mode of employment | 22. | A member of the Service shall be liable to be posted anywhere within the state of Assam, or outside the Assam, if so required in the interest of public Service and in such case, the member shall not have any option against such posting or transfer. |
| Other condition of Service | 23. | Except as provided in these rules all matters relating to pay and allowances, leave, pension, discipline, and other conditions of Service shall be regulated by the General rules and or orders of the Government for the time being in force. |
| Relaxation | 24. | Where the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may dispense with or relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner: Provided that the case of any person shall not be dealt within any manner less favourable to him/ her than that provided in these rules. |
| Interpretation | 25. | If any question arises relating to the interpretation of these rules, the decision of the Government shall be final. |
| Repeal and savings | 26. | Any rules corresponding to these rules and in force immediately before commencement of these rules, are hereby repealed: Provided that all order made or action taken under rules so repealed or under any General orders ancillary thereto shall be deemed to have been validly made or taken under the corresponding provisions of these rules. |

RAJESH KEMPRAI,

Commissioner & Spl. Secretary to the Govt. of Assam,
Public Works Roads Department, Dispur.

Schedule-I**(Rule-4)****Strength of the Service**

| Serial No. | Name of posts | Permanent | Temporary | Total |
|------------|------------------------|-----------|-----------|-------|
| (1) | (2) | (3) | (4) | (5) |
| 1. | Administrative Officer | 1 | - | 1 |
| 2. | Registrar | 1 | - | 1 |
| 3. | Superintendent | 12 | - | 12 |
| 4. | Senior Assistant | 77 | - | 77 |
| 5. | Junior Assistant | 99 | - | 99 |

Schedule II**(Rule-21)****[Base on Assam Service (Revision of Pay) Rules,2017].**

| Serial No. | Name of posts | Scale of Pay (Rs.) |
|------------|------------------------|---|
| (1) | (2) | (3) |
| 1. | Administrative Officer | PB-IV, Rs.30,000-1,10,000/-+13,300/-(Grade Pay) |
| 2. | Registrar | PB-III, Rs.22,000-97,000/-+ 11,500/-(Grade Pay) |
| 3. | Superintendent | PB-III, Rs.22,000-97,000/-+ 10,300/-(Grade Pay) |
| 4. | Senior Assistant | PB-II, Rs.14,000-60,500/-+ 8,000/-(Grade Pay) |
| 5. | Junior Assistant | PB-II, Rs.14,000-60,500/-+ 6,200/-(Grade Pay) |

Schedule-III**Rule-9****Minimum qualifications prescribed for direct recruitment**

A candidate for direct recruitment to the cadre of Junior Assistant shall have the minimum qualifications as prescribed below:-

1. He must have passed the Bachelor Degree from a recognized university.
2. He must be capable of typing at the minimum speed 40 (forty) words per minute in English as well as any of the local language of the State and he must possess a minimum 6 (six) month Diploma/Certificate in Computer proficiency from a recognized institute.

Schedule-IV**[Rule—7(4)]****Syllabus:-**

The syllabus for the written test for recruitment of Junior Assistant which will be comprises of One paper for written examination containing of the following subject:-

Time: 3 hours.

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|------|---|---|----------|
| i) | General studies and numerical aptitude(MCQ type) | : | 40 marks |
| ii) | Basics of Computer(MCQ) | : | 20 marks |
| iii) | Precis /paragraph writing in MIL (Assamese/Bodo/ Bengali) | : | 20 marks |
| iv) | General English and Drafting | : | 20 marks |

The written test shall be followed by a set of Computer test among the qualified candidates which will be of qualifying in nature that includes knowledge on MS Office (MS word , excel , power point , database etc.). Marks allotted for the Computer Test will be 50 marks, out of which the minimum marks to be obtained for qualifying the test will be 20.